IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 13TH FEBRUARY 2007 / 24TH MAGHA 1928

Bail Appl..No. 783 of 2007()

CRIME NO.624/06 OF CHAVAKKAD POLICE STATION

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: PETITIONER

ANEESH, AGED 20 YEARS,
S/O.GOPINATHAN, PALLIPARAMBIL HOUSE,
MANATHALA, CHAVAKKAD.

BY ADV. SRI.P.RAMACHANDRAN

RESPONDENTS:

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1. THE SUB INSPECTOR OF POLICE,
CHAVAKKAD POLICE STATION, CHAVAKKAD,
THRISSUR DISTRICT.

2. THE STATE OF KERALA, REPRESENTED
BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 783 OF 2007

Dated this the 13th day of February, 2007

O R D E R

In this Petition filed under Sec. 438 Cr.P.C. the petitioner, who is the accused in Crime No.624/2006 of Chavakkad Police Station for offences punishable under Sections 324 and 308 I.P.C., seeks anticipatory bail.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor. The learned Public Prosecutor opposed the application submitting, inter alia, that the weapon used for offences has not been recovered.

3. Eventhough I am not inclined to grant anticipatory bail to the petitioner, I am inclined to permit the petitioner to surrender before the Investigating Officer for interrogation and then to have his regular bail application ordered by the Magistrate concerned. Accordingly, the petitioner is directed to surrender before the Investigating Officer on any day between 19.2.2007 and 21.2.2007 for the purpose of custodial interrogation and recovery of incriminating materials, if any. The petitioner shall, thereafter, be produced on the same day before the Magistrate concerned, who shall release the petitioner on bail on appropriate conditions.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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